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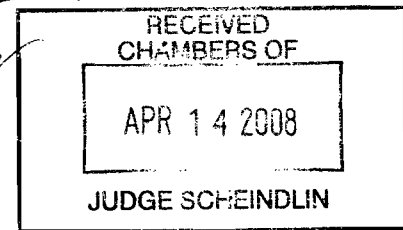
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*Request granted.
Sentenced adjourned to
July 9 at 4:30.
CO Ordered.*

April 14, 2008
4/14/08



Via Facsimile 212.805.7920

Honorable Shira A. Scheindlin
United States District Court
Southern District of New York
500 Pearl Street, Room 1620
New York, New York 10007

Re: *United States v. Osvaldo Morales*, 07 CR 1037 (SAS)

Dear Judge Scheindlin:

I represent Osvaldo Morales, who is scheduled to be sentenced by Your Honor on April 29, 2008. I write to respectfully request an adjournment of Mr. Morales' sentencing to the week of July 7th. This is my first request for an adjournment and AUSA Marshall Camp has no objection to this request.

The reason for this adjournment request is so that I may have sufficient time to attempt to withdraw two recent New York state guilty pleas of Mr. Morales which increase his criminal history in this matter. I herein provide the Court with a brief background. In February of this year, while Mr. Morales was in federal custody at the Metropolitan Correction Center, the Bronx District Attorney exercised a writ and took Mr. Morales to Bronx Supreme Court to face two misdemeanor charges.¹ There, Mr. Morales was represented by a Legal Aid attorney who incorrectly told Mr. Morales that the guilty pleas and sentences would not affect his federal matter. As a result of those pleas and incorrect legal advice, Mr. Morales faces two additional criminal history points in his federal matter; this increases his Guideline range significantly.

¹ I was not informed of the pending charges, the writ, or the guilty pleas until after all had transpired.

LAW OFFICES OF PRIYA CHAUDHRY
Honorable Shira A. Scheindlin


April 14, 2008

Page 2

While the Sentencing Guidelines are no longer mandatory, effective representation of Mr. Morales requires that I at least attempt to withdraw these guilty pleas and reduce his criminal history so that he may face sentencing under the same Guideline range that is set forth in his plea agreement and not a higher range due to these additional points.

I believe that this endeavor will require at least six weeks. However, I will be in China from May 30th to June 18th. Accordingly, I respectfully request that this case be adjourned until the week of July 7th. AUSA Camp has no objection to scheduling the sentencing for that week.

Very truly yours,

A handwritten signature in black ink, appearing to be 'Priya Chaudhry', is written over a circular stamp or seal. The signature is fluid and cursive.

cc: AUSA Marshall Camp
Lyvia Ramos, US Probation